

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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In re :
BEST PAYPHONES, INC., : Case No. 01-B-15472 (SMB)
Debtor. :
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BEST PAYPHONES, INC., :
Appellant, :
v. : Civil Action No. 08-2553 (GEL)
VERIZON NEW YORK INC., :
Appellee. :
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MOTION TO DISMISS APPEAL

For the reasons set forth in its separately filed *Memorandum Of Law In Support Of Motion To Dismiss Appeal*, Appellee Verizon New York Inc. (“Verizon”) hereby moves to dismiss the appeal of Best Payphones, Inc. of the *Final Order of the Bankruptcy Court of the Southern District of New York*, entered by the United States Bankruptcy Court for the Southern District of New York on November 5, 2007.

WHEREFORE, Verizon respectfully requests that the Court dismiss the Appeal.

Dated: April 25, 2008

Respectfully submitted,

ARNALL GOLDEN GREGORY LLP

/s/Darryl S. Laddin

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of April, 2007, I caused to be served the foregoing document by causing true and correct copies of same, enclosed securely in separate postage pre-paid envelopes, to be delivered by first class mail to the following:

George M. Gilmer, Esq.
943 Fourth Avenue
Brooklyn, NY 11232

/s/Darryl S. Laddin

Darryl S. Laddin